

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LONTEX CORPORATION	CIVIL ACTION
v.	NO. 18-5623
NIKE, INC.	

ORDER RE: POST-TRIAL MOTIONS

AND NOW, on this 3rd day of March, 2022, for the reasons stated in the foregoing Memorandum and upon careful consideration of Plaintiff's Omnibus Post-Trial Motion (ECF 384), Defendant's Motion for Judgment as a Matter of Law (ECF 382), and each party's Response (ECF 386, ECF 387) and Reply (ECF 389, ECF 388), it is hereby **ORDERED** as follows:

1. Defendant's Motion is **DENIED**.
2. Plaintiff's Motion is **GRANTED** in part.
 - a. The Court enhances the compensatory damages awarded to Plaintiff from \$142,000 to \$426,000, bringing the total amount of damages awarded to Plaintiff to \$791,000. The prior Judgment will be amended, and Judgment will be entered in favor of Plaintiff and against Defendant, in the amount of \$791,000.
 - b. Defendant is permanently enjoined and restrained from directly or indirectly using in commerce the term "cool compression" for any apparel product, including (a) verbally and in writing; (b) whether as a product or style name, description, or otherwise; (c) whether at wholesale or retail; (d) in any medium designed for viewing by non-Nike persons such as catalogs, advertisements, website, and social media; and (e) in any medium (e.g. SKU and tech sheets) providing information for use by retailers.
 - c. Defendant shall within twenty-one (21) days of this Order advise all retailers that

purchased directly from Nike any of the products using the term “cool compression” (identified at PX32–33) to cease use in verbal or written form of the term “cool compression” in relation to Nike products. Defendant shall serve Plaintiff with the names and contact information of retailers to whom this notice is sent.

3. Plaintiff shall submit an updated request for attorneys’ fees for post-trial work not included in Plaintiff’s previous submission within fourteen (14) days. Defendant shall have seven (7) days to respond.

BY THE COURT:

/s/ MICHAEL M. BAYLSON

MICHAEL M. BAYLSON, U.S.D.J.